

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

101

CRM-M-38518-2023

Date of Decision:-29.08.2023

DIYAL SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Prarthana Duggal, Advocate
for the petitioner.

Mr. Rajiv Verma, DAG, Punjab along with
Mr. Rajpal Singh Sandhu, IPS, SSP, Kapurthala.

SANDEEP MOUDGIL, J. (Oral)

In compliance of the order dated 07.08.2023, an affidavit of Sh. Rajpal Singh Sandhu, IPS, Senior Superintendent of Police, Kapurthala dated 26.08.2023 has been filed in Court today, wherein in paras No.7 and 8, it has been explained that the earlier petitions were titled as Buta Singh @ Boota and another and under that impression, mis-information was provided to the learned State counsel, which was further forwarded to this Court, whereas it was Buta Singh @ Boota only, against whom 6 FIRs were pending but against the petitioner, there is only one FIR, in which he is involved, where the investigation is pending. It is also submitted by the Officer, who is present in Court today that such an error is *bona fide* due to inadvertent mistake, which has been attributed to oversight on the part of Investigating Officer namely ASI Jarnail Singh.

Sh. Rajpal Singh Sandhu, IPS, Senior Superintendent of Police, Kapurthala states before this Court that he will be careful and more cautious in future while providing information to the learned State counsel

as well as to this Court, only after verifying from the record. He tenders his unconditional apology on behalf of his officers.

The said affidavit is taken on record.

In the light of above discussion and circumstances, show cause notice issued to Senior Superintendent of Police, Kapurthala, Punjab vide order dated 07.08.2023 stands withdrawn.

Since, the petitioner has joined the investigation and he is no more required for further custodial interrogation and nothing has been recovered from him, as stated by learned State counsel, in the presence of Senior Superintendent of Police, Kapurthala, the order dated 07.08.2023 granting interim bail to the petitioner is made absolute.

However, the petitioner would be at liberty to take any other legal remedy for compensation, who has to approach this Court in multiple round of litigations due to mis-information submitted on the part of the respondents.

Petition is disposed of in the aforesaid terms.

29.08.2023
P.Bhatt

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No